

SUPREME COURT OF CALIFORNIA

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**NOTICE OF  
FORTHCOMING FILING**

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**The Supreme Court has indicated that the filing of a written opinion in the following case(s) is forthcoming. At the filing time designated below, the filed opinion(s) will be accessible at the judicial branch web site ([www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)) and copies will be made available at the Supreme Court Clerk's Office.**

[Generally, the description set out with regard to each case is reproduced from the original news release issued when review in the matter was granted, and is provided for the convenience of the public and the press. The description does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

**PEOPLE v. FREEMAN (MARILYN)**

S150984 (D046394; San Diego County Superior Court – SCD171601)  
Argued in San Francisco 11-04-09

This case presents the following issue: Was defendant's due process right to a fair trial violated based on an appearance of bias when the trial judge initially recused himself but then accepted reassignment after the basis for the initial disqualification proved to be unfounded?

**PEOPLE v. KELLY (PATRICK K.)**

S164830 (B195624; Los Angeles County Superior Court – VA092724)  
Argued in San Francisco 11-04-09

The court limited review to the following issues: (1) Does Health and Safety Code section 11362.77 violate the California Constitution by amending the Compassionate Use Act without voter approval? (2) Were there alternative remedies to invalidating section 11362.77 in its entirety?

**Opinion(s) in the above case(s) will be filed on:**

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Thursday, January 21, 2010 at 10:00 a.m.